



UNITED STATES PATENT AND TRADEMARK OFFICE

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**APR 27 2006**

In re Application of :  
Santa Cruz : **OFFICE OF PETITIONS**  
Application No. 10/813,518 :  
Filed: March 30, 2004 :  
Docket No.: 256.100 :

DECISION ON PETITION

This is a decision on the petition, filed April 7, 2006, under 37 CFR 1.181 to withdraw the holding of abandonment.

The petition is **GRANTED**.

The application was held abandoned November 19, 2005 for failure to timely submit a proper reply to the final Office action mailed August 18, 2005. The final Office action set a three (3) month statutory period for reply. Notice of Abandonment was mailed March 17, 2006.

Petitioner alleges that a response to the outstanding Office action and a petition for extension of time were timely submitted February 20, 2006.

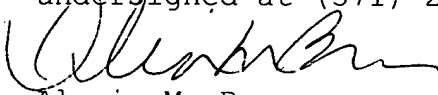
A review of the application history reveals that a response was received on February 20, 2006 and included the necessary petition for extension of time. A fee for the extension of time in the amount of \$510.00 was collected at that time. The response, however, was errantly given a receipt date of March 20, 2006 rather than February 20, 2006, the date of actual receipt. The Office apologizes for this error.

In view thereof, the Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

No petition fee is due in connection with this matter. If applicable, petitioner may request a refund of any petition fee (notwithstanding the required petition for extension of time fee) submitted in connection with this matter. Petitioner may request a refund by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

The application file is being forwarded to the Technology Center 3600 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown', written over the printed name.

Alesia M. Brown  
Petitions Attorney  
Office of Petitions